

Approved as Submitted: April 7, 2004

**CITY OF MORGAN HILL
SPECIAL CITY COUNCIL MEETING
MINUTES – MARCH 24, 2004**

CALL TO ORDER

Mayor Pro Tempore Sellers called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Present: Mayor Pro Tempore Sellers; Council Members Carr and Chang
Absent: Mayor Kennedy and Council Member Tate

DECLARATION OF POSTING OF AGENDA

City Clerk Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CLOSED SESSIONS:

The closed sessions were deferred to the conclusion of the Regular Redevelopment Agency and Special City Council meeting agenda.

At 9:45 p.m., City Attorney Leichter announced the below listed closed session items.

CLOSED SESSION:

1.

EXISTING LITIGATION:

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| Legal Authority: | Government Code 54956.9(a) |
| Case Title: | Oregon Mutual v. City of Morgan Hill |
| Case Name/No.: | Santa Clara County Superior Court, Case No. 1-03-CV005398 |
| Attendees: | City Manager, Public Works Director, City Attorney |

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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| Legal Authority: | Government Code Section 54965.9(a) |
| Case Name: | Morgan Hill Unified School District v. Minter & Fahy |
| Case No.: | Santa Clara County Superior Court, No. CV 772368 |
| Attendees: | City Council, City Manager, City Attorney |

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Pro Tempore Sellers opened the Closed Session items to public comment. No comments were offered.

ADJOURN TO CLOSED SESSION

Mayor Pro Tempore Sellers adjourned the meeting to Closed Session at 9:46 p.m.

RECONVENE

Mayor Pro Tempore Sellers reconvened the meeting at 9:56 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Leichter announced that a settlement agreement has been reached in the Minter & Fahy case. The agreement stipulates a \$1.575 million settlement, of which the City of Morgan Hill will receive approximately 35%.

FUTURE COUNCIL-INITIATED AGENDA ITEMS

No items were identified.

ADJOURNMENT

There being no further business, Mayor Pro Tempore Sellers adjourned the meeting at 9:57 p.m.

MINUTES RECORDED AND PREPARED BY:

IRMA TORREZ, CITY CLERK